महाराष्ट्र प्रादेशिक व नगर रचना अधिनियम,१९६६ चे कलम ३७(१) अन्वये अधिसूचना.

"के/पूर्व" विभागाच्या सुधारीत मंजूर विकास योजनेमध्ये फेरबदल.

महाराष्ट्र शासन,
नगर विकास विभाग,
शासन निर्णय क्रमांक: टिपीबी-४३०८/३५९०/प्र.क्र.७९/०९/नवि-११
मंत्रालय, मुंबई : ४०० ०३२, दिनांक: ४ जून,२०१०

शासन निर्णय:- सोबत जोडलेली अधिसूचना महाराष्ट्र शासनाच्या साधारण राजपत्रात प्रसिध्द करण्यात यावी.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नांवाने,

(राजेंद्र हावडे)
अवर सचिव, महाराष्ट्र शासन.

प्रति,
आयुक्त, बृहन्मुंबई महानगरपालिका, मुंबई.
संचालक, नगर रचना, महाराष्ट्र राज्य, पुणे.
उपसंचालक, नगर रचना, बृहन्मुंबई, मुंबई.
प्रमुख अभियंता (वि.नि.), बृहन्मुंबई महानगरपालिका, मुंबई.
व्यवस्थापक, शासकीय मध्यवर्ती मुद्रणालय, चर्नीरोड, मुंबई.

(त्यांना विनंती करण्यांत येते की, सोबतची सूचना महाराष्ट्र शासनाचे साधारण राजपत्रात भाग-१ मध्ये प्रसिध्द करण्यात येवून त्याच्या प्रत्येकी २५ प्रती नगर विकास विभाग, (नवि-११), मंत्रालय, मुंबई-३२ व उप संचालक, नगर रचना, बृहन्मुंबई, इन्साहटमेंट, आझाद मैदान, मुंबई-१ यांना पाठविण्यांत याव्यात.)

कक्ष अधिकारी (संगणक कक्ष) (नवि-२९), नगर विकास विभाग, मंत्रालय, मुंबई ४०० ०३२.

(त्यांना विनंती करण्यात येते की, सोबतची सूचना विभागाच्या वेबसाईटवर प्रदर्शित करण्याबाबत आवश्यक ती कार्यवाही करावी)

निवडनस्ती (नवि-११).
सेक्शन ३७ फाईल.

Maharashtra Regional and Town Planning Act, 1966
Development Plan of K/E Ward.
Sanction to modification under section 37(2) of the ......

GOVERNMENT OF MAHARASHTRA
Urban Development Department,
Mantralaya, Mumbai 400 032.
Dated the 4th June, 2010.

NOTIFICATION

No. TPB 4308/3590/CR-79/2009/UD-11:

Whereas the Development Plan of K(East) Ward of Greater Mumbai (hereinafter referred to as "the said Plan") has been sanctioned by the Government vide Urban Development Department's Notification No. 4392/4716/CR-181/92/UD-11(RDP) dated 12/11/1991, under section 31 of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as "the said Act") to come into force with effect from 29th December, 1992;

And whereas, the land bearing CTS No. 375/981 of village-Majas (hereinafter referred to as "the said land") is entirely designated for the public purpose of school and is situated in "No Development Zone" (NDZ) (hereinafter referred to as "the said reservation") in the said plan. There is an existing school known as "Bandivali Vidya Mandir" (hereinafter referred to as "the said School") on the said land;

And whereas, the trustees of the said school intend to carry out the expansion of the school so as to meet the needs of increasing population in the locality. However, it is not possible to carry out any development/expansion of school building, since the land under reference is situated in "No Development Zone";

And whereas, the Municipal Corporation of Gr. Mumbai (hereinafter referred to as "the said Corporation") have received the representation from the trustees of the school and the elected representatives, to change the zone of land under reference from the "No Development Zone" to "Residential Zone" by modifying the said plan, so as to facilitate the development/expansion of the said school;

And whereas, pursuant to the representation from the owner of the said land i.e. "Bandivali Vidhya Mandir Trust" to the State Govt. for changing the zone of the said land from "No Development Zone" to "Residential Zone", the Government in Urban Development Department has informed, Chief Engineer (DP) of Municipal Corporation of Gr. Mumbai vide letter under No. FSI/1199/1613/CR No. 199/2001/UD-11 dated 9th October, 2004, to carryout modification to change the use of land from "No Development Zone" to "Residential Zone" as per the provisions of the said Act;

And whereas, after considering the aforesaid aspects the said Corporation was felt expedient to initiate a modification proposal to sanctioned Revised Development Plan of K/E Ward as per the procedure laid down under section 37(1) of the said Act for changing the zone of the said land entirely designated for the public purpose of School from "No Development Zone" to "Residential Zone" (hereinafter referred to as "the said modification") as shown in on plan attached herewith subject to the condition that the entire permissible built up area on the said land shall be utilised for the purpose of school only;

And whereas, the said Corporation vide its resolution No. 1230 dated 7th February, 2008 has accorded the sanction to initiate necessary modification to the said plan and has empowered the Municipal Commissioner to process the modification proposal further;

And whereas, in exercise of the powers vested in it under sub-section (1) of section 37 of the said Act, the said Corporation had published notice on 29/5/08 (hereinafter referred to as "the said notice") thereby inviting suggestions/objections from any person with respect to the said modifications and the said notice which appeared in the Maharashtra Government Gazette on 12/6/08 was published in News Papers namely "The Free Press Journal" (English) & "Navshakti" (Marathi) dated 22/5/08;

And whereas, the said Corporation has informed Government that two suggestions/objections where received from the public on the said modification.

And whereas; and after completing the procedure laid down in section 37(1) of the said Act, the said Corporation submitted the proposal to Government for final sanction under provisions of section 37(2) of the said Act vide letter dated 19/9/2008;

And whereas, considering above facts and circumstances, report of the Dy. Director of Town Planning, Gr. Mumbai and after consulting Director of Town Planning, Maharashtra State, Pune, Government finds it necessary to sanction the said modification with some changes;

Now, therefore in exercise of the powers conferred in section 37(2) of the said Act, Government hereby –

A) Sanctions the said modification proposal for land bearing CTS No. 375/981 of village Majas, Mumbai Suburban District to change the zone from "No Development Zone" to "Residential Zone" (as shown in the plan attached herewith) on following conditions:

   (i) Entire permissible built up area on the said land shall be utilised for the purpose of school only.

   (ii) The said Corporation/land owner shall provide widening to the existing 3.5 mt. access road to 6.0 mt. as proposed user is school.

B) fixes the date of publication of this Notification in the Government Gazette as the date of coming into force of this modification.

C) directs the said Corporation that, in the Schedule of Modification sanctioning the said Regulations, after the last entry, the schedule referred to as (A) above shall be added.

By order and in the name of the Governor of Maharashtra,

(Rajendra Habde)
Under Secretary to Government.